IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CIVIL WRIT PETITION NO.1936/07

Mahesh Kumar Sharma & Anr.

Versus

State & Ors.

DATE OF ORDER :: 09/04/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Anoop Dhand, for petitioners

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Instant petition has been filed seeking appointment on the basis of selection undertaken by the respondents for the post of Ayurved Nurse/Compounder in pursuance of advertisement issued in 1996-97.

One of the applicants, Rahul Singh who participated in the selection process along with petitioner, for his non-selection filed a suit before the learned trial Judge, but it appears that same was dismissed – against which he preferred appeal which was accepted by the learned Appellate Judge and pursuant to judgment & decree he has been considered for appointment.

Counsel for petitioners submits that Shri Rahul Singh who was considered for appointment under the order of the learned trial Judge was lower in order of merit in comparison to petitioners, as such their candidature may kindly be considered for appointment.

So far as Rahul Singh is concerned, he approached the court by filing a civil suit and relief was extended to him at the appellate stage.

Selections were made against the vacancies determined for 1996-97.

Instant petition has been filed after almost 11 years of selection process initiated by the respondents and at such a belated stage when process has been finalized and appointment has been made, I am not inclined to exercise jurisdiction under Article 226 of the Constitution.

Consequently, I find no force in the writ petition, the same stands dismissed.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.